BEST COPY
AVAILABLE

MONTANA LEGISLATIVE HISTORY

Chapter 98 19 87

Bill H _____ S 120 Original bill & history ____C

H. Committee on Human Services & Aging		S. Committee on Public Health, Welfare & Safety	
Hearing Date(s) Mar 05	✓C	Hearing Date(s) Jan 30	✓C
_____	____C	Feb 06	✓C
_____	____C	_____	____C
_____	____C	_____	____C
Date Out Mar 05	✓C	Feb 06	✓C

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

SB 119 INTRODUCED BY WEEDING, HALLIGAN
EXEMPT ALL INSURANCE POLICIES FROM "PLAIN LANGUAGE IN CONTRACTS ACT"

1/16	INTRODUCED		
1/16	REFERRED TO JUDICIARY		
1/23	HEARING		
1/24	COMMITTEE REPORT--BILL PASSED		
1/28	2ND READING PASSED	49	1
1/30	3RD READING PASSED	48	2
	TRANSMITTED TO HOUSE		
2/04	REFERRED TO JUDICIARY		
3/09	HEARING		
3/10	COMMITTEE REPORT--BILL CONCURRED		
3/13	2ND READING CONCURRED	94	0
3/14	3RD READING CONCURRED	90	6
	RETURNED TO SENATE		
3/19	SIGNED BY PRESIDENT		
3/20	SIGNED BY SPEAKER		
3/20	TRANSMITTED TO GOVERNOR		
3/24	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 185 EFFECTIVE DATE: 10/01/87		

SB 120 INTRODUCED BY REGAN, HIMSL
REQUIRE GROUP POLICY CHEMICAL DEPENDENCY CARE BY APPROVED PERSON/FACILITY

1/16	INTRODUCED		
1/16	REFERRED TO PUBLIC HEALTH, WELFARE & SAFETY		
1/30	HEARING		
2/09	COMMITTEE REPORT--BILL PASSED AS AMENDED		
2/13	2ND READING PASSED	50	0
2/16	3RD READING PASSED	50	0
	TRANSMITTED TO HOUSE		
2/18	REFERRED TO HUMAN SERVICES & AGING		
3/05	HEARING		
3/05	COMMITTEE REPORT--BILL CONCURRED		
3/07	2ND READING CONCURRED	82	6
3/09	3RD READING CONCURRED	91	6
	RETURNED TO SENATE		
3/11	SIGNED BY PRESIDENT		
3/12	SIGNED BY SPEAKER		
3/12	TRANSMITTED TO GOVERNOR		
3/16	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 98 EFFECTIVE DATE: 10/01/87		

SB 121 INTRODUCED BY BROWN, R., BISHOP, SWIFT, ET AL.
FIREARMS LIABILITY CRITERIA

1/16	INTRODUCED		
1/16	REFERRED TO JUDICIARY		
1/29	HEARING		
1/31	COMMITTEE REPORT--BILL PASSED AS AMENDED		
2/04	2ND READING PASSED	50	0
2/06	3RD READING PASSED	47	1
	TRANSMITTED TO HOUSE		
2/11	REFERRED TO JUDICIARY		

ACTION ON S.B. 195: Karen Renne stated that there was no need for amendments to the bill.
Sen. Hager: How should the handicapped places be marked. If you mark only the pavement, there are times you can't see the marking.
Sen. Rassmussen: There are supposed to be signs in hard-to-see locations.
Sen. Rassmussen moved that S.B. 195 DO PASS. The motion carried.
Sen. Norman voted no.

CONSIDERATION OF SENATE BILL NO. 120: Pat Regan, District # 47, sponsor of S.B. 120, stated that the purpose of the bill is to solve third party payments in the drug and alcohol treatment area. Some providers of services do not fall into specific license categories, so they have a problem being reimbursed, and people may not be able to choose to use their services. Section II does clarify that certified couselors are eligible for payment and that outpatient benefits are payable. The report is a result of a two-year study. The bill then allows for payment of services if a group or counselor has been approved by the Department of Institutions.

PROPONENTS: Bill Jensen, Blue Cross-Blue Shield and counselor, stated that he is in support of the bill but suggests some minor changes. There is a difficulty in defining a free-standing inpatient facility. That is not clear. They wish to be sure that they are dealing with appropriately licensed facilities, and they questioned whether chemical dependency counselors could be paid for mental health service, which often are a part of c.d. treatment.

Ken Anderson, Chemical Dependency counselor in Flathead Co., stated that they support the bill.

Ann Scott, Rocky Mountain Treatment Center, Great Falls, supports the amendments proposed by Blue Cross. She stated that it increases the cost of treatment for a patient to have to go to a doctor first before seeing a chemical dependency counselor, so the prescription by a doctor should be striken.

Mike Murray, lobbyist for the Chemical Dependency Council of Montana, stated that they support the bill, and that an approved list of couselors can be obtained from the Department of Institutions.

There were no opponents to S.B. 120.

DISCUSSION OF S.B. 120: Sen. Rassmussen: Was there language in the bill for a doctor's prescription? Is that a Blue Cross amendment?
Ann Scott: Yes.
Bill Jensen: Blue Cross policy is that they need a doctor's prescription.

Sen. Hager: Will there be an increased cost in licensing?
Sen. Regan: There should be no added expense.

Sen. Himsl: Why do you recommend removal of the chemical dependency counselor? If you take that out, you take out the meat of the bill.
Sen. Regan: Sen. Himsl is taking my closing.
Mike Murry: There is a requirement that C.D. couselors be state-ertified. These couselors should be working for a state-approved program.
Sen. Eck: Will these people counseling in state certified programs go into business for themselves?
huck Butler: The "blues" now pay centers and have to have a doctor's prescription if they use someone in private practice.
Sen. Himsl: We're dealing with out-patient benefits. Social workers are always licensed by the state board of social workers.

Curt Chisholm, Department of Institutions, stated that there are many good programs educationally for c.d. counselors.
Bob Anderson: A C.D. must pass three exams in the field to be certified.

Sen Regan closed by stating that she resists the necessity for a perscription, that it is not good for cost containment of health care. The intent of the bill is for people to be confortable with going to counselors first, especially of their own choosing. The "Blues" have had ample opportunity to talk to her, and she does not like the free-standing facility amendment. This is another turf battle, the hospital has a contract with Rocky Mountain treatment Center. Can the "Blues" really define a facility?

CONSIDERATION OF SENATE BILL NO. 185: Sen. Bob Williams, District # 15, sponsor of S.B. 185, stated that this is a bill to ensure the rights and well-being of elderly people.

PROPONENTS: Charles Briggs, State Aging Coordinator, stated that the bill has been worked on by many people over the past two years and is the result of many compromises and negotiations. The ombudsman program has been attached to SRS, but it is now supervised by the governor's office and is attached to the state plan on aging. This would follow the administration's plan to transfer to SRS, but the Governor will still oversee the program. He would prefer that the bill would not go to appropriations, despite the fiscal note. The appropriation is a very secondary issue and is being dealt with. The Ombudsman program is needed to receive Federal funds for programs under the Older Americans Act.

Doug Blakeslee, State Long-Term Care Ombudsman, stated that the goals of the bill are to ensure the ombudsman access to all long-

Public Health, Welfare and Safety COMMITTEE

50th LEGISLATIVE SESSION -- 1987 Date 1-30-87

NAME	PRESENT	ABSENT	EXCUSED
Dorothy Eck	X		
Bill Norman	X		
Bob Williams	X		
Darryl Meyer	X		
Eleanor Vaughn	X		
Tom Rasmussen	X		
Judy Jacobson	X		
Harry H. "Doc" McLane	X		
Matt Himsl	X		
Tom Hager	X		

Each day attach to minutes.

DATE 1-30-87

COMMITTEE ON SB 185

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One: Support	Oppose
Kelly Munro	AARP	185	X	
Sandy Hamilton	AARP	185	X	
Rose F. Tabaferro	Helena	185		X
Tammy Krambeer	Kalispell	120		X
Jerry Anderson	Chem/Dep Pros of Mt	120		X
[illegible]	[illegible]			
Charles Brook	Governor's Office	185	X	
Robert H. Deschamps	Attorney	185	X	
Owen Warren	M.S.C.P.A.	185	X	
Doug Blakley	St Ombudsman, Helena	185	X	
Hank Hudson	Seniors office, Helena	185	X	
DOUG OLSON	Helena - self	185	X w/ amend	
Betty C Hill	Mt. Assoc of Homes for Aging	185	X	
Rose S Lang	MT. Health Care Assn	185	X	
Con Groene	S.R.S.	185	X	

(Please leave prepared statement with Secretary)

DATE 1-30

COMMITTEE ON SB120

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One: Support	Check One: Oppose
Mike Murray	Chemical Dependency Program of Mont.	SB120	✓	
Ann Scott	Rocky Mtn. Treatment Center	SB120	✓	
Bill Jorgen	Blue Cross & Blue Shield	SB120	✓	
Ed Wirt				

ACTION ON SENATE BILL NO. 120: Sen. Himsl moved that the amendments be adopted. The motion carried unanimously.
Sen. Himsl moved that S.B. 120 DO PASS AS AMENDED. Sen Meyer asked if the chemical dependency counselor should be amended out.
Sen. Jacobson: No! The sponsor wants that in.
The motion to pass carried unanimously.

ACTION ON SENATE BILL NO. 17: Senator Eck reminded the committee that the money to pay for the position is requested from the Federal Government; SRS also has someone already on board who can fill the position and the tribes can nominate later.

Sen. Himsl: What about the co-operative agreement with the tribes? If these tribal agreements are negotiated, then the tribes can apply for some of the monies.
Sen. Eck: But this person will work with the children whose jurisdiction hasn't been established and who are not eligible for tribal monies.

Sen. Williams moved that the bill receive a DO PASS. Senators voting yes were Eck, Norman, Williams, Vaughn, Jacobson, and McLane. senators voting no were Meyer, Rasmussen, Himsl, and Hager.

The meeting adjourned at 3 P.M.

Dorothy Eck

CHAIRMAN

ROLL CALL

Public Health, Welfare and Safety COMMITTEE

50th LEGISLATIVE SESSION -- 1987 Date 2-6-87

NAME	PRESENT	ABSENT	EXCUSED
Dorothy Eck	X		
Bill Norman	X		
Bob Williams	X		
Darryl Meyer	X		
Eleanor Vaughn	X		
Tom Rasmussen	X		
Judy Jacobson	X		
Harry H. "Doc" McLane	X		
Matt Himsl	X		
Tom Hager	X		

Each day attach to minutes.

STANDING COMMITTEE REPORT

SB120

February 6, 19 87

MR. PRESIDENT

We, your committee on Public Health, Welfare, and Safety

having had under consideration Senate Bill No. 120

first white reading copy (_____ color)

REQUIRE GROUP POLICY CHEMICAL DEPENDENCY CARE BY APPROVED PERSON, FACILITY

Respectfully report as follows: That Senate Bill No. 120

BE AMENDED AS FOLLOWS:

1. Page 1, line 14.
Following: "facility"
Strike: ", as defined in the policy or contract,"

2. Page 1, lines 19 and 20.
Following: "physician" on line 19
Strike: ", as defined in the policy or contract,"

3. Page 1, line 21.
Following: "confined as"
Strike: "a hospital"
Insert: "an"

And as amended:

DO PASS

~~DO NOT PASS~~

Chairman.

Senator Eck

MINUTES OF THE MEETING
HUMAN SERVICES AND AGING COMMITTEE
50TH LEGISLATIVE SESSION
HOUSE OF REPRESENTATIVES

The meeting of the Human Services and Aging Committee was called to order by Chairman R. Budd Gould at 1:00 p.m. on Thursday, March 5, 1987 in Room 312-D of the State Capitol.

ROLL CALL: All members were present with the exception of Rep. Bob Gilbert, and Rep. Dick Corne' who were excused.

CONSIDERATION OF HOUSE BILL NO. 105:

Sen. Matt Himsel, District 3 Kalispell and sponsor of the bill, discussed the bill that would provide for audits of the Montana Medical Legal Panel by or at the discretion of the Legislative Auditor. He explained the panel as being established for the purpose of reviewing malpractice claims. This panel is attached to the Supreme Court for administrative purposes. A director is appointed by the executive director of the Montana Medical Association with approval of the chief justice. The funding is provided by a trust with no money reverting to the general fund. The fund is open to audit by the Legislative Auditor and is created by an annual surcharge levied on all health care providers. This legislation proposes that the audit determine the advocacy, sufficiency, and reasonableness of the charges for assessment. A copy of the audit must be presented to the Supreme Court and the cost of the audit paid by the panel. (Exhibit 1)

PROPONENTS:

JERRY LOENDORF, Montana Medical Association, supported the bill. He stated that the panel desires to be audited. He pointed out that the bill requires the auditor to determine reasonableness of the charges made to the providers so there would be no overcharges.

OPPONENTS: There were no opponents.

Sen. Himsel closed on the bill and said that there should be an audit so that the assessments made on services would be proper.

QUESTIONS FROM THE COMMITTEE: There were no questions.

CONSIDERATION OF SENATE BILL NO. 120:

Sen. Pat Regan, from Senate District 47 Billings, presented Senate Bill No. 120. She said that this bill grew out of

the interim study conducted by a health cost containment council appointed by the Governor. The insurers, or third-party payers were sometimes presented with bills for alcohol treatment and they felt that the person running the treatment was not qualified but could claim themselves to be a counselor. The bill provides that a third-party payer only has to pay when the treatment has been given by someone who has been approved by the Department of Institutions.

PROPONENTS:

MONA JAMISON, representing Rocky Mountain Treatment Center in Great Falls, spoke in support of the bill. She said that the treatment center was a facility that treated disorders related to alcohol and chemical addiction.

CHUCK BUTLER, from Blue Cross and Blue Shield of Montana, supported Senate Bill 120.

OPPONENTS: There were no opponents.

SEN. REGAN closed on Senate Bill 120.

QUESTIONS FROM THE COMMITTEE:

REP. CODY asked Sen. Regan about certifying by the department. Sen. Regan replied that certification was granted by the Department of Institutions and was spelled out in law.

There were no further questions.

CONSIDERATION OF SENATE BILL NO. 176:

SEN. DOROTHY ECK, District 40, discussed Senate Bill 176 which enables nurse specialists to file for third party payments from insurance companies. She pointed out the importance of nurse practitioners to rural areas in Montana.

PROPONENTS:

CATHY CANIPARILI, president of the Montana Nurse Practitioners state interest group from Livingston, presented testimony supporting direct reimbursement of nurse specialists by Medicaid and Health Services Corporation. She pointed out SB70 passed by the 1983 session omitted Medicaid. The intent of the bill was to provide the consumer with freedom of choice in selecting a health care provider to deliver services already covered in existing health policies and plans. She said that these specialists were directly responsible and accountable to the consumer for the quality of health services. SRS, Medicaid, Blue-Cross and Blue-Shield have denied payment to nurse specialists on the

DAILY ROLL CALL

HUMAN SERVICES AND AGING COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date March 5, 1987

NAME	PRESENT	ABSENT	EXCUSED
REP. BUDD GOULD, CHAIRMAN	✓		
REP. BOB GILBERT, VICE CHAIRMAN			✓
REP. JAN BROWN	✓		
REP DUANE COMPTON	✓		
REP. DOROTHY CODY	✓		
REP. DICK CORNE'			✓
REP. LARRY GRINDE	✓		
REP. STELLA JEAN HANSEN	✓		
REP. LES KITSELMAN	✓		
REP. LLOYD MC CORMICK	✓		
REP. RICHARD NELSON	✓		
REP. JOHN PATTERSON	✓		
REP. ANGELA RUSSELL	✓		
REP. JACK SANDS	✓		
REP. BRUCE SIMON	✓		
REP. CAROLYN SQUIRES	✓		
REP. TONIA STRATFORD	✓		
REP. BILL STRIZICH	✓		

CS-30

STANDING COMMITTEE REPORT

MARCH 5, 19 87

Speaker: We, the committee on HUMAN SERVICES AND AGING

ort SENATE BILL NO. 120

do pass ☒ be concurred in ☐ as amended
do not pass ☐ be not concurred in ☐ statement of intent attached

REP. R. BUDD GOULD, Chairman

REQUIRE GROUP POLICY CHEMICAL DEPENDENCY CARE BY APPROVED PERSON, FACILITY

REP. CODY WILL CARRY THE BILL IN THE HOUSE OF REPRESENTATIVES

THIRD reading copy (BLUE color)

VISITORS' REGISTER

HUMAN SERVICES AND AGING COMMITTEE

BILL NO. SENATE BILL NO. 120 DATE MARCH 5, 1987

SPONSOR SEN. REGAN

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Monte Jamison	Helena (Forest Mgmt Co-op)	✓	
CHUCK BUTE	Blue Cross/Blue Shield	-	
Bob Gratton	MSLA		
Kathy Filius	MSLA		

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.